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18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA

20 DEFENDERS OF WILDLIFE, et al.,

21 Plaintiffs,

22 vs.

23 U.S. FISH AND WILDLIFE SERVICE, et al.,

24 Federal Defendants.

25 Case No. 4:21-cv-00344-JSW

26 **ADMINISTRATIVE MOTION TO
27 CONSIDER WHETHER CASES
28 SHOULD BE RELATED**

29 This case and two other pending lawsuits—*WildEarth Guardians v. Haaland*, 4:21-cv-
30 349-JSW, and *Natural Resources Defense Council v. U.S. Department of the Interior*, 4:21-cv-
31 561-JSW—challenge the U.S. Fish & Wildlife Service’s 2020 Rule delisting gray wolves. The
32 Court related the three cases (ECF 17), resolved cross-motions for summary judgment (ECF
33 138), and entered Judgment in Plaintiffs’ favor (ECF 139). Because the time for appeal has not
34 lapsed, a final judgment has not yet issued in the three related cases.

35 Under Civil L.R. 3-12 and 7-11, Federal Defendants provide the Court with notice of a
36 fourth case recently transferred to this District that is related to these three existing lawsuits—

1 *Aland v. U.S. Department of the Interior*, 3:22-cv-1321-JCS. Under Civil L.R. 3-12(d)(2), the
2 “brief statement of the relationship of the actions according to the [two] criteria set forth in Civil
3 L.R. 3-12(a)” is as follows:

4 1. Civil Local Rule 3-12(a)(1) provides that an action is related to another action
5 when the actions “concern substantially the same parties, property, transaction or event.” Here,
6 the three existing related cases and *Aland*, 3:22-cv-1321, challenge the same final rule
7 promulgated by the U.S. Fish and Wildlife Service (“Service”) that removes gray wolves from
8 the Endangered Species Act’s (“ESA”) list of endangered and threatened wildlife (Final Rule, 85
9 Fed. Reg. 69,778 (Nov. 3, 2020)). *See* *Defs. of Wildlife*, 4:21-cv-344, ECF 1 ¶ 1; *WildEarth
Guardians*, 4:21-cv-349, ECF 1 ¶ 2; *Nat. Res. Def. Council*, 4:21-cv-561, ECF 1 ¶ 1; *Aland*,
10 3:22-cv-1321, ECF 1 ¶ 1. While the specific claims in *Aland* differ from those pled in the three
11 related cases, all four actions involve the same Federal Defendants (U.S. Fish and Wildlife
12 Service, Secretary of the Department of the Interior), the same subject matter (gray wolves), and
13 the same “transaction or event” (the Service’s final 2020 regulation).

14 2. Civil L.R. 3-12(a)(2) also provides that a case is related when judicial review of
15 different actions before different judges would result in an “unduly burdensome duplication of
16 labor and expense” or risk “conflicting results.” *Aland* raises claims that are reviewed on the
17 same administrative record that governed the Court’s review of the claims in the three related
18 cases. *See, e.g.*, *Aland*, 3:22-cv-1321, ECF 1 ¶ 10. Given the Court’s familiarity with the Final
19 Rule and the advanced stage of proceedings in the three related cases, assigning *Aland* to this
20 Court will promote judicial efficiency.

21 For the reasons set forth above, the three existing related cases are also related to *Aland*,
22 3:22-cv-1321, within the meaning of Civil Local Rule 3-12(a).

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24 DATED: March 9, 2022.

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1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF CALIFORNIA

3 DEFENDERS OF WILDLIFE, et al.,

4 Plaintiffs,

5 vs.

6 U.S. FISH AND WILDLIFE SERVICE, et al.,

7 Federal Defendants.

Case No. 4:21-cv-00344-JSW

8

9 **CERTIFICATE OF SERVICE**

10 WILDEARTH GUARDIANS, et al.,

11 Plaintiffs,

12 vs.

13 DEBRA HAALAND, et al.,

14 Federal Defendants.

15 Case No. 4:21-cv-00349-JSW

16 **CERTIFICATE OF SERVICE**

17 NATURAL RESOURCES DEFENSE COUNCIL,

18 et al.,

19 Plaintiffs,

20 vs.

21 U.S. DEPARTMENT OF THE INTERIOR, et al.,

22 Federal Defendants.

23 Case No. 4:21-cv-00561-JSW

24 **CERTIFICATE OF SERVICE**

25 ROBERT H. ALAND,

26 Plaintiff,

27 vs.

28 U.S. DEPARTMENT OF THE INTERIOR, et al.,

Notice Related Case, 4:21-cv-00344-JSW

Case No. 3:22-cv-01321-JCS

CERTIFICATE OF SERVICE

1 I hereby certify that I electronically filed the foregoing with the Clerk of the Court using
2 the CM/ECF system, which will send notification of such to the attorneys of record. I also certify
3 that I caused to be sent, via electronic mail, the foregoing to the following counsel of record:

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